

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAHN GREGORY THOMPSON,
Plaintiff,
v.
C. PFEIFFER, et al.,
Defendants.

No. 1:20-cv-01619-KES-GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

Docs. 43, 59

Plaintiff, a former state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on November 16, 2020. Doc. 1. Plaintiff passed away on June 19, 2024. Doc. 51. At the time of plaintiff's death, a fully briefed motion for summary judgment was pending before the Court. Docs. 43, 49, 50. On November 15, 2024, the Court ordered that the filings related to defendants' motion for summary judgment and a copy of Federal Rule of Civil Procedure 25, regarding substitution of parties, be served on plaintiff's next of kin. Doc. 52.

On March 4, 2025, the magistrate judge issued findings and recommendations recommending dismissal of this action because plaintiff's next of kin did not file a motion for substitution within the ninety-day period mandated by Rule 25. Doc. 59. On March 20, 2025, after determining that the Court's findings and recommendations had been mistakenly sent to the prison at which plaintiff had been incarcerated prior to his death, instead of to plaintiff's next of kin, the findings and recommendations were ordered resent to plaintiff's next of kin at the address

1 that had been provided under seal. Doc. 60. In that order, plaintiff's next of kin was given an
2 additional fourteen days to file objections to the findings and recommendations. *Id.* at 2. That
3 time has passed, and plaintiff's next of kin has not filed objections to the findings and
4 recommendations or otherwise communicated with the Court.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
6 novo review of this case. Having carefully reviewed the file, the Court finds the findings and
7 recommendations to be supported by the record and by proper analysis.

8 Accordingly:

- 9 1. The findings and recommendations issued March 4, 2025, Doc. 59, are ADOPTED IN
10 FULL;
11 2. Defendants' motion for summary judgment, Doc. 43, is denied as moot;
12 3. This action is dismissed; and
13 4. The Clerk of Court is directed to close this case.

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16 IT IS SO ORDERED.

17 Dated: April 30, 2025

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20 UNITED STATES DISTRICT JUDGE
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